CITY OF HUNTINGTON BEACH, CALIFORNIA
SINGLE AUDIT OF FEDERAL AWARDS
SEPTEMBER 30, 2009

## CITY OF HUNTINGTON BEACH, CALIFORNIA

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March 15, 2010

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INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

The Honorable Mayor and Members of City Council City of Huntington Beach Huntington Beach, California

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Huntington Beach, California (the City), as of and for the year ended September 30, 2009, which collectively comprise the City's basic financial statements, and have issued our report thereon dated March 15, 2010. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States.

#### Internal Control Over Financial Reporting

In planning and performing our audit, we considered the City's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over financial reporting.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. However, as discussed below, we identified certain deficiencies in internal control over financial reporting that we consider to be significant deficiencies.

## Internal Control Over Financial Reporting (Continued)

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the City's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the City's financial statements that is more than inconsequential will not be prevented or detected by the City's internal control. We consider the deficiencies described in the accompanying Schedule of Findings and Questioned Costs as Finding Numbers 2009-01 and 2009-02 to be significant deficiencies in internal control over financial reporting.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the City's internal control.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies and, accordingly, would not necessarily disclose all significant deficiencies that are also considered to be material weaknesses. However, we believe that none of the significant deficiencies described above are material weaknesses.

## Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under <u>Government Auditing Standards</u>.

The City of Huntington Beach's responses to the findings identified in our audit are described in the accompanying Schedule of Findings and Questioned Costs. We did not audit the City's responses and, accordingly, we express no opinion on them.

This report is intended solely for the information and use of the City Council and management of the City, and the City's Federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

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INDEPENDENT AUDITORS' REPORT ON COMPLIANCE WITH REQUIREMENTS APPLICABLE TO EACH MAJOR PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE IN ACCORDANCE WITH OMB CIRCULAR A-133 AND ON THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS

The Honorable Mayor and Members of City Council City of Huntington Beach Huntington Beach, California

### Compliance

We have audited the compliance of City of Huntington Beach (the City) with the types of compliance requirements described in the <u>U.S. Office of Management and Budget (OMB) Circular A-133 Compliance Supplement</u> that are applicable to each of its major federal programs for the year ended September 30, 2009. The City's major federal programs are identified in the summary of auditors' results section of the accompanying schedule of findings and questioned costs. Compliance with the requirements of laws, regulations, contracts and grants applicable to each of its major federal programs is the responsibility of the City's management. Our responsibility is to express an opinion on the City's compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States; and OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the City's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination on the City's compliance with those requirements.

In our opinion, the City complied, in all material respects, with the requirements referred to above that are applicable to each of its major federal programs for the year ended September 30, 2009. However, the results of our auditing procedures disclosed instances of noncompliance with those requirements, which are required to be reported in accordance with OMB Circular A-133 and which are described in the accompanying Schedule of Findings and Questioned Costs as Finding Numbers 2009-03 and 2009-04.

### Internal Control Over Compliance

The management of the City is responsible for establishing and maintaining effective internal control over compliance with the requirements of laws, regulations, contracts, and grants applicable to federal programs. In planning and performing our audit, we considered the City's internal control over compliance with the requirements that could have a direct and material effect on a major federal program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over compliance.

A control deficiency in the City's internal control over compliance exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect noncompliance with a type of compliance requirement of a federal program on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the City's ability to administer a federal program such that there is more than a remote likelihood that noncompliance with a type of compliance requirement of a federal program that is more than inconsequential will not be prevented or detected by the City's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that material noncompliance with a type of compliance requirement of a federal program will not be prevented or detected by the City's internal control.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above.

### Schedule of Expenditures of Federal Awards

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Huntington Beach, as of and for the year ended September 30, 2009, and have issued our report thereon dated March 15, 2010. Our audit was performed for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements taken as a whole. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by U.S. Office of Management and Budget Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, and is not a required part of the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the financial statements and, in our opinion, is fairly stated, in all material respects, in relation to the basic financial statements taken as a whole.

The City's responses to the findings identified in our audit are described in the accompanying Schedule of Findings and Questioned Costs. We did not audit the City's responses and accordingly, we express no opinion on them.

This report is intended solely for the information and use of the City Council and management of the City, the City's Federal awarding agencies, and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

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April 15, 2010, except to the date for the Schedule of Expenditures of Federal Awards, to which the date is March 15, 2010.

## SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS AND SCHEDULE OF FINDINGS AND QUESTIONED COSTS

## SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS

### For the year ended September 30, 2009

Federal Grantor / Pass - Through Grantor / Program	Catalog of Federal Domestic Assistance Number	Program Identification Number	Federal Expenditures	Disbursements to Subrecipients
U.S. Department of Commerce				
Passed through City of Santa Ana				
Public Safety Interoperable Communications	11.555	A-2008-075-21	c 225 110	e
Grant Program (PSIC)		2007-GS-H7-0008	S 225,118	<u>-</u>
U.S. Department of Housing and Urban Development				
Direct Programs:				
Community Development Block Grants/	14,218	B04-MC-06-0506		
Entitlement Grants		B06-MC-06-0506		
		B07-MC-06-0506		
		B08-MC-06-0506	2,132,511	99,686
HOME Investment Partnerships Program	14,239	M06-MC-06-00514		
HOUSE HACKBON I WATCHOME I LOGICIA	1 1,227	M07-MC-06-00514		
		M08-MC-06-0514	270,165	-
Total U.S. Department of Housing				
and Urban Development		•	2,402,676	99,686
U.S. Department of Justice: Passed through California Office of Emergency Services: Violence Against Women Formula Grants	16.588	LEO7056860 LEO8016860	135,385	
		LE06010600	133,363	_
Passed through County of Orange: Edward Byrne Memorial Justice Assistance Grant Program Total U.S. Department of Justice	16.738	2008-DJ-BX-0103	14,442 149,827	·
VIO Developed of Transport				
U.S. Department of Transportation  Passed through California Department of Transportation:				
Highway Planning and Construction	20.205	STPL-5181-160		
		STPL-5181-165	200,055	-
Passed through California Department of Transportation	n:			
Capital Assistance Program for Elderly	20.513	-	223,678	-
Persons and Persons with Disabilities				
Passed through California Office of Traffic Safety:				
State and Community Highway Safety	20.600	AL 0756		
		AL 0998	165,519	
Total U.S. Department of Transportation			589,252	

See Independent Auditors' Report on Compliance with Requirements Applicable to Each Major Program on Internal Control Over Compliance in Accordance with OMB Circular A-133 and on the Schedule of Expenditures of Federal Awards (pages 3 and 4) and Notes to Schedule of Expenditures of Federal Awards (pages 7 and 8).

# SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS (CONTINUED)

## For the year ended September 30, 2009

Federal Grantor / Pass - Through Grantor / Program	Catalog of Federal Domestic Assistance Number	Program Identification Number	Federal Expenditures	Disbursements to Subrecipients	
U.S. Environmental Protection Agency					
Direct Programs:	66.202	XP-96960601-1	\$ 28,233	\$ -	
Congressionally Mandated Projects	00.202	AF-70700001-1	9 20,200		
Corporation for National and Community Service					
Passed through California Service Corporation:					
AmeriCorps	94.006	NPH00022630	3,160	-	
Department of Homeland Security					
Passed through City of Santa Ana:					
Urban Areas Security Initiative	97.008	2007-285-03	65,474	-	
Passed through County of Orange:					
Urban Areas Security Initiative	97.008	A-2008-200	160,174	-	
Passed through City of Anaheim:					
Urban Areas Security Initiative	97.008	2008-0006	3,520		
			229,168		
Direct Program:					
Assistance to Firefighters Grant	97.044	EMW-2008-FO-04289	19,580	<u> </u>	
Passed through California Office of Emergency Service			1.005.140		
Pre-Disaster Mitigation	97.047	PDMC-PJ-09-CA-2005-007	1,295,140		
Passed through County of Orange:					
Homeland Security Grant Program	97.067	2007-8; OES 059-00000		_	
		2008-9; OES 059-00000	151,191	-	
Passed through California Office of					
Emergency Services:					
Homeland Security Grant Program	97.067	EMF-2006-GR-0602	11,724		
			162,915	· <del></del>	
Total Department of Homeland Security			1,706,803	_	
TOTAL EXPENDITURES OF FEDERAL AWA	ARDS		\$ 5,105,069	\$ 99,686	
			<del></del>		

See Independent Auditors' Report on Compliance with Requirements Applicable to Each Major Program on Internal Control Over Compliance in Accordance with OMB Circular A-133 and on the Schedule of Expenditures of Federal Awards (pages 3 and 4) and Notes to Schedule of Expenditures of Federal Awards (pages 7 and 8).

## NOTES TO SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS

### For the year ended September 30, 2009

### 1. GENERAL:

The accompanying Schedule of Expenditures of Federal Awards presents the activity of all federal financial assistance programs of the City of Huntington Beach (the City). The City's reporting entity is defined in Note 1 of the notes to the City's financial statements. All financial assistance received directly from federal agencies, federal financial assistance passed through other government agencies to the City, as well as federal financial assistance passed through the County of Orange is included in the accompanying schedule.

#### 2. BASIS OF ACCOUNTING:

The accompanying Schedule of Expenditures of Federal Awards is presented using the modified accrual basis of accounting for governmental funds and the accrual basis for proprietary funds, which are described in the Note 1 of the notes to the City's financial statements.

## 3. RELATIONSHIP TO COMPREHENSIVE ANNUAL FINANCIAL REPORT:

Amounts reported in the accompanying Schedule of Expenditures of Federal Awards agree to amounts reported within the City's Comprehensive Annual Financial Report.

### 4. RELATIONSHIP TO FEDERAL FINANCIAL REPORTS:

Amounts reported in the accompanying Schedule of Expenditures of Federal Awards agree with amounts reported in federal financial reports.

#### 5. FEDERALLY FUNDED LOANS:

The City administers loans, primarily deferred loans, made from funds provided by the following federal programs:

		Loans Expended			
	During the Year		Loans Outstanding		
Federal Programs	E	1ded Sept 30, 2009	as of Sept 30, 2009		
Community Development					
Block Grant - Entitlement					
Grant	\$	293,725	\$	3,201,437	
HOME Investment					
Partnership Program		511,296		8,400,744	

See Independent Auditors' Report on Compliance with Requirements Applicable to Each Major Program and on Internal Control Over Compliance in Accordance with OMB Circular A-133 and on the Schedule of Expenditures of Federal Awards (pages 3 and 4) and the Schedule of Expenditures of Federal Awards (pages 5 and 6).

# NOTES TO SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS (CONTINUED)

For the year ended September 30, 2009

### 6. OFFICE OF EMERGENCY SERVICES:

The following represents federal expenditures for the grant period which may extend over several fiscal years, for programs from the Department of Justice passed through the Office of Emergency Services (OES):

Domestic Violence Grant LE07056860 from October 1, 2008 - December 31, 2008

	Budget	<u>Actual</u>	Variance	
Operating expenses	\$ 13,823	<u>\$ 13,823</u>	<u>\$</u>	

<u>Domestic Violence Grant LE08016860 from January 1, 2009 - September 30, 2009 (grant runs to December 31, 2009, after fiscal year-end)</u>

	Budget		Actual		<u>Variance</u>	
Personal services Operating expenses	\$	36,500 109,500	\$	34,446 87,116	\$	2,054 22,384
Total	<u>\$</u>	146,000	\$	121,562	<u>\$</u>	24,438

See Independent Auditors' Report on Compliance with Requirements Applicable to Each Major Program and on Internal Control Over Compliance in Accordance with OMB Circular A-133 and on the Schedule of Expenditures of Federal Awards (pages 3 and 4) and the Schedule of Expenditures of Federal Awards (pages 5 and 6).

## SCHEDULE OF FINDINGS AND QUESTIONED COSTS

## For the year ended September 30, 2009

## 1. Summary of Auditors' Results:

- a. The auditors' report expresses an unqualified opinion on the financial statements of the City of Huntington Beach.
- b. Two significant deficiencies were disclosed during the audit of the financial statements, and are reported in this Schedule. See Finding Numbers 2009-01 and 2009-02. None of the deficiencies are material weaknesses.
- c. No instances of noncompliance material to financial statements of the City of Huntington Beach, which would be required to be reported in accordance with Government Auditing Standards, were disclosed during the audit.
- d. No instances of significant deficiencies in internal control over major federal award programs were disclosed during the audit.
- e. The auditors' report on compliance for the major federal award programs for the City of Huntington Beach expresses an unqualified opinion on all major federal programs.
- f. Two instances of audit findings that are required to be reported in accordance with Section 510(a) of OMB Circular A-133 were disclosed during the audit and are reported in this Schedule. See Finding Numbers 2009-03 and 2009-04.
- g. The threshold used for distinguish between type A and type B programs was \$300,000.
- h. The programs tested as major programs were:

Public Safety Interoperable Communications Grant Program (PSIC) - CFDA No. 11.555 Pre-Disaster Mitigation - CFDA No. 97.047

i. The City of Huntington Beach was determined to be a low-risk auditee.

## SCHEDULE OF FINDINGS AND QUESTIONED COSTS (CONTINUED)

For the year ended September 30, 2009

## 2. Findings - Financial Statements Audit:

### Finding Number 2009-01

### Criteria

The loans related to the housing program have provisions which allow the forgiveness of the note over a period of time provided the debtor meets the requirements of the loan agreements and loans issued were not recorded as made.

### Condition

During our testing of notes receivables, we noted several notes receivable balances related to housing programs which were not adjusted to the proper balances.

### Recommendation

We recommend that the City implement an annual procedure to review all the individual notes receivable balances and adjust these balances to the proper amounts.

### Management Response

The City's Housing Division is working with the City Attorney's Office to finalize the procedures for loan forgiveness. The City has contracted with a financial consultant to perform a financial review of all the individual notes receivable balances to determine if the loan is eligible to be forgiven or if adjustments need to be made to current loan balances. In addition, the City is providing the physical condition review of the projects for compliance and recommendation if a particular loan should be forgiven for that year.

# SCHEDULE OF FINDINGS AND QUESTIONED COSTS (CONTINUED)

For the year ended September 30, 2009

## 2. Findings - Financial Statements Audit (Continued):

### Finding Number 2009-02

### Criteria

An important element of internal controls over cash is the reconciliation process to identify differences between the bank and the general ledger and resolve differences timely. When differences are not properly identified, the bank reconciliation is not complete and can result in inaccurate general ledger balances.

### Condition

During our testing of bank reconciliations for the City's main checking account, we noted that the reconciliation for the Union Bank General Checking Account for the month of September 2009 was not properly reconciled until four months later.

### Recommendation

We recommend that bank accounts be reconciled within 30 days after the end of the month.

### Management Response

The City will strive to reconcile all bank accounts within 45 days of month end when possible. Management will more closely monitor the process. When bank reconciliation present more challenges, management will dedicate additional resources when necessary.

## SCHEDULE OF FINDINGS AND QUESTIONED COSTS (CONTINUED)

For the year ended September 30, 2009

3. Findings And Questioned Costs - Major Federal Awards Program Audit:

### Finding Number 2009-03

Pre-Disaster Mitigation, U.S. Department of Homeland Security, CFDA No. 97.047 Award Number PDMC-PJ-09-CA-2005-007; Federal Award Year 2005 Passed through California Office of Emergency Services

#### Criteria

44 CFR Section 13.35 states "Grantees and subgrantees must not make any award or permit any award (subgrant or contract) at any tier to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549, "Debarment and Suspension".

### Condition

City did not verify the eligibility for participation in Federal assistance programs of the subgrant or contract recipients prior to awarding the grant or contract.

### **Questioned Costs**

\$0

### Cause

The City did not have policies or procedures in place to address the federal requirement regarding suspension and debarment.

### **Effect**

The City is not in compliance with the federal requirement regarding suspension and debarment.

## SCHEDULE OF FINDINGS AND QUESTIONED COSTS (CONTINUED)

For the year ended September 30, 2009

3. Findings And Questioned Costs - Major Federal Awards Program Audit (Continued):

Finding Number 2009-03 (Continued)

### Recommendation

The City underwent an audit by CalEMA during fiscal year ending September 30, 2009 in which the City presented a corrective action plan that was accepted. We recommend the City implement the corrective action plan including obtaining federal website certification and modifying City procurement sections of the Municipal Code.

### Management Response

The City concurs with the finding and has already implemented the requested corrective action.

## SCHEDULE OF FINDINGS AND QUESTIONED COSTS (CONTINUED)

For the year ended September 30, 2009

3. Findings And Questioned Costs - Major Federal Awards Program Audit (Continued):

### Finding Number 2009-04

Homeland Security Grant Program, U.S. Department of Homeland Security, CFDA No. 97.067 Award number EMF-2006-GR-0602; Federal Award Year 2006 Passed through California Office of Emergency Services

### Criteria

44 CFR 13.23 states "Where a funding period is specified, a grantee may charge to the award only costs resulting from obligations of the funding period unless carryover of unobligated balances is permitted, in which case the carryover balances may be charged for costs resulting from obligations of the subsequent funding periods".

### Condition

The grant term for the Homeland Security Grant Program is August 4, 2006 through March 31, 2008. A total of S11,724 was expended in the time period of October 1, 2008 through September 30, 2009, which is outside the grant period.

### **Questioned Costs**

\$11,724, representing all federal expenditures of the non-major Homeland Security Grant Program, were expended outside the grant period.

### Cause

The City claims the grant can be expended past the time period even though no formal extension was provided by the grantor. The grant amount of \$18,150 was provided by the grantor and received by the City in October 2008, which lends credence to the City's reasoning.

### **Effect**

The grantor may require reimbursement of federal funding.

# SCHEDULE OF FINDINGS AND QUESTIONED COSTS (CONTINUED)

For the year ended September 30, 2009

3. Findings And Questioned Costs - Major Federal Awards Program Audit (Continued):

## Finding Number 2009-04 (Continued)

### Recommendation

We recommend the City request formal grant extensions from grantors before funding is utilized outside the grant period.

### Management Response

The City concurs with the finding and will work to ensure that funds are expended within authorized grant periods.

## SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS

For the year ended September 30, 2009

There were no findings for the year ended September 30, 2008.